

**PATRICIA A. MCCOLM**  
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April 25, 2011

Edward M. Chen  
Magistrate Judge  
U.S. DISTRICT COURT  
450 Golden Gate  
San Francisco, CA 94102  
Fax to: (415) 522-3605

**Re: 009-4132 SI (EMC) REQUEST TO APPEAR BY TELEPHONE AND TO  
CONTINUE APRIL 27, 2011 HEARING DATE RE DISCOVERY MOTIONS FOR GOOD  
CAUSE OF PRIORITY CONFLICT.**

Your Honor:

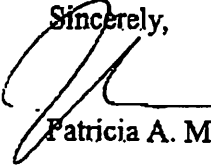
It is hereby respectfully requested that I be allowed to appear by telephone as previously requested in formal ex parte motion to continue pertaining to the above matter and that the hearing date of April 27, 2011 in the discovery motions currently set in the above cited action be continued to a date *after* the week of May 9, 2011 for good cause of priority case conflict with said hearing date and preparation pertaining thereto and in the interest of justice; in particular, as opposition is warranted.

At the time of my prior request to continue, it was not known whether or not there would be a trial or other court ordered appearance date in conflict with this matter; and quite frankly, it was not something that I wanted to put in a public record. In addition to my limited medical condition, the time limited necessity to address matter that involved my liberty interest, clearly made it impossible to attend to the demands of the priority matter and prepare responses to the motions within the additional few days provided; in particular, where the mailing time Express is two days from this remote location (2 p.m. pick up only), making the time even shorter. Specification of the actual priority conflict became necessary as set forth in my request to Judge Illston for a stay pending resolution of the frivolous charges. Please see Request for Stay Judge Illston re-directed the request re conflict to Your Honor.

Accordingly, as it has not been possible to either prepare another formal ex parte motion

or original letter for receipt by Your Honor before the April 27, 2011 hearing date, this letter fax is respectfully requested considered as the only means to accommodate my limitations of disability and the priority conflict stated. Your kind consideration is appreciated.

Sincerely,



Patricia A. McColm

cc. Hollins

IT IS SO ORDERED that Plaintiff's request is granted in part and denied in part. Defendant's motions to compel shall go forward on 4/27/11 at 3:00 p.m. telephonically. The Court will call both parties between 3:00 p.m. and 4:30 p.m.

Edward M. Chen  
U.S. Magistrate Judge

Dated: 4/26/11

